

UNITED STATES DISTRICT COURT  
Northern District of California

ELECTRICAL INDUSTRY SERVICE  
BUREAU, INC.,

Plaintiffs,

v.

BEAMANS, INC.,

Defendant.

No. C 12-5662 JST (MEJ)

**ORDER RE: MOTION FOR DEFAULT  
JUDGMENT**

On December 21, 2012, the Clerk of Court entered default against Defendant Beaman's, Inc. Dkt. No. 13. Plaintiffs subsequently filed a Motion for Default Judgment, which has been referred to the undersigned to prepare a report and recommendation. Dkt. Nos. 15, 16. However, Defendant has now filed an Opposition to Plaintiffs' Motion. Accordingly, as it appears that Defendant seeks to defend itself in this action and the case may proceed on the merits, the Court hereby VACATES the March 7, 2013 hearing set in this matter. Defendant shall file a motion to set aside default before the presiding judge pursuant to Federal Rule of Civil Procedure 55(c).

**IT IS SO ORDERED.**

Dated: February 13, 2013

  
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Maria-Elena James  
United States Magistrate Judge